

EXHIBIT B

IN UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

DAVONE JACKSON,)	
)	
Plaintiff,)	
)	
v.)	No. 3:18-cv-00012
)	
REALPAGE, INC. d/b/a)	
Leasing Desk,)	
)	
Defendant.)	
<hr/>)	

Videotaped Deposition of:

DAVONE JACKSON

Taken on behalf of the Defendant

December 3, 2018

1 A Nikki is my spouse.

2 Q Could you please spell Nikki's full name for
3 the record?

4 A N-I-K-K-I Peters, P-E-T-E-R-S.

5 Q You mentioned that she's your spouse. How
6 long have you been married to Ms. Peters?

7 A Not married. We've been together since 2005.

8 Q And so you mentioned when you moved into the
9 Knights Inn it was yourself, Ms. Peters, and your
10 daughter?

11 A Yes, sir.

12 Q And could you please state your daughter's
13 name?

14 A Nyonna Jackson. N-Y-O-N-N-I-A Jackson,
15 J-A-C-K-S-O-N.

16 Q And how old Nyonna?

17 A Now she's 11.

18 Q So that would make her born in 2007?

19 A Yes.

20 Q And after you moved out of the Knights Inn or
21 rather why did you move out of the Knights Inn and
22 into your aunt's house?

23 A I didn't have the funds to continue to stay
24 there.

25 Q And when you moved into your aunt's residence

1 Q And what's your older daughter's name?

2 A ShaDazhia Jackson.

3 Q Could you please spell that for the record?

4 A S-H-A, capital D, A-Z-H-I-A Jackson,
5 J-A-C-K-S-O-N.

6 Q And, Mr. Jackson, have you ever previously
7 been named as a plaintiff or a defendant in a civil
8 lawsuit?

9 A Not to my recollection.

10 Q Have you ever filed or brought any other
11 lawsuits to your knowledge?

12 A No.

13 Q Have you ever been arrested?

14 A Yes.

15 Q Can you please tell me when you were
16 arrested?

17 MR. BASKERVILLE: Let me object to that
18 line. I'm going to let him answer. Go ahead.

19 A Could you repeat the question?

20 BY MR. YEE:

21 Q Could you please tell me when you've been
22 arrested?

23 A The last time to my recollection was 2016.

24 Q And what was that for?

25 A Simple possession.

1 is about?

2 A No.

3 Q Okay. Can you tell me when did you first
4 apply for an apartment at Midtown Estates?

5 A To my recollection I'll say in 2014.

6 Q And in 2014 can you describe for me what kind
7 of apartment you were applying for?

8 A Midtown Estates is a low-income apartment.

9 Q Okay. And were you applying for a one
10 bedroom, two bedroom, three bedroom?

11 A Two bedroom.

12 Q You were applying for a two bedroom. And was
13 it your intent to move into an apartment there with
14 Ms. Peters and Nyonnia?

15 A Yes.

16 Q Do you know how long the wait list was when
17 you first applied to Midtown Estates?

18 A They told me four years.

19 Q And at any period of time did you ever alter
20 your application to Midtown Estates to apply for a
21 different type of apartment?

22 A Yes.

23 Q And when was that?

24 A That was 2015 that I can recall.

25 Q And what did you modify your application to

1 Midtown Estates or were there other people?

2 A Well, her daughter worked there too.

3 Q Do you recall her daughter's name?

4 A Not at the time, no.

5 Q Okay. So when Carol gave you a call, what
6 did she say to you?

7 A She called me in the office to look over the
8 paperwork.

9 Q What paperwork did she have you review?

10 A The application. And she gave me a credit
11 report, a background credit report.

12 Q Okay. And to the best of your recollection
13 when was this again?

14 A In 2017.

15 Q 2017?

16 A Yes. '16. Sorry about that.

17 Q 2016. And this was -- do you remember what
18 month again?

19 A I want to say June, July.

20 Q Okay. And can you tell us what happened
21 after she had you review these documents?

22 A I wasn't approved for the apartment.

23 Q Okay. Did you submit a new application at
24 that time?

25 A No.

1 Q Okay. And she said that you weren't approved
2 for the apartment?

3 A Yes.

4 Q And what exactly did she say or did she
5 provide you any reason as to why you weren't
6 approved?

7 A She said it was things on my record that
8 wouldn't let me get it. And then when she showed me
9 the report, it showed me, like, different charges
10 that wasn't me.

11 Q Okay. Did she provide you any writings or
12 any letters to that effect?

13 A She gave me the report.

14 Q Did she give you anything else besides the
15 report?

16 A No, not to my recollection.

17 Q Okay. And once you received a copy of the
18 report and reviewed it with her, did you take any
19 action to appeal the decision?

20 A Right there we were looking over the
21 paperwork, I told her it wasn't me that was on
22 there. It had three other people on there.

23 Q Okay. And what did Carol say?

24 A That she would look into it.

25 Q Do you know if she took any steps to look

1 A Repeat the question.

2 BY MR. YEE:

3 Q Sure. Can you please describe for me as best
4 you can the substance of your phone calls with
5 Ms. Minks?

6 A Asking did I get the apartment or if anything
7 changed for me getting in to the apartment.

8 Q Okay. And so if we can kind of start at some
9 of the early telephone conversations. Did you have
10 any conversations about -- well, strike that. We'll
11 move on. I'll come back to that a little bit later.

12 I believe, if I recall correctly, you
13 mentioned that you first applied to Midtown, the
14 Midtown apartment complex sometime in or about 2014
15 or '15?

16 A Yes.

17 Q What year was that?

18 A To my recollection I will say '14.

19 Q Okay. And at that time in 2014 you were
20 living at the Knights Inn; is that correct?

21 A In 2014, yes.

22 Q Okay. And was there a reason that you -- or
23 how did you hear about Midtown apartment complex?

24 A It was low-income apartment. I was looking
25 for a low-income at the time and that was one of the

1 suggestions.

2 Q Okay. Suggestions from?

3 A People who let me know about low-income
4 apartments.

5 Q Okay. And who were these people that you
6 were reaching out to?

7 A Nikki, friends who was just letting me know
8 that was a good apartment to move in.

9 Q Okay. Did you apply to any other apartments
10 for low-income housing?

11 A Yes.

12 Q Which ones did you apply to?

13 A Ripley Housing Authority.

14 Q Could you please spell that?

15 A R-I-P-L-E-Y.

16 Q Any others?

17 A Not to my recollection.

18 Q And Ripley Housing Authority, can you please
19 tell me what happened with your application to that
20 housing authority?

21 A I was denied.

22 Q Do you know why you were denied?

23 A Statutory rape and heroin charge.

24 Q I'm sorry. Could you say that again?

25 A Statutory rape and heroin charge.

1 A When she put me on the application.

2 Q Oh, okay. I see. And then did she reapply
3 without putting you on the application?

4 A No.

5 Q Is there a reason why?

6 A Not to my recollection.

7 Q Okay. And so subsequently you applied by
8 yourself?

9 A Yes.

10 Q Is there a reason why you didn't put
11 Ms. Peters on the application?

12 A No, sir.

13 Q At the time that you applied, did you intend
14 for Ms. Peters to live with you?

15 A Yes.

16 Q Okay. Is Ms. Peters currently on the lease
17 with you?

18 A No.

19 Q But Ms. Peters is currently residing with
20 you?

21 A Yes.

22 Q And she's lived with you the whole time while
23 you've been at Midtown Estates?

24 A To my recollection, yes.

25 Q Okay. Can you tell me who is currently on

1 that first page. Let me know if there's any
2 information on there that you believe is inaccurate.

3 A (Witness reading document.) None of it is
4 inaccurate that I can -- no.

5 Q Okay. Can you please turn to the next page
6 which is labeled Jackson 017?

7 A (Witness complies.)

8 Q If you can do the same thing. Take a moment,
9 review it, and then let me know if there's any
10 information on that page which you believe is
11 inaccurate.

12 A (Witness reading document.) None.

13 Q Okay. Let's turn to the next page labeled
14 Jackson 018. And, again, I'm going to ask you to do
15 the same thing. Please take a moment, review it,
16 and let me know if there's any information on that
17 page is inaccurate.

18 A Yes.

19 Q Okay. And what information is inaccurate?

20 A On offender's information, No. 1, they have
21 James Jackson. On No. 2 they have James Jackson.
22 And No. 4 they have Eric D. Jackson which is not me.

23 Q So to clarify, under the section at the
24 bottom of the page labeled offender information
25 you've identified line items 1, 2, and 4 as

1 inaccurate?

2 A Yes, sir.

3 Q Okay. And what about them is inaccurate?

4 A It's not me.

5 Q Okay.

6 A It's my last name, but that's not me.

7 Q Okay. Anything else on this page that you
8 believe is inaccurate?

9 A The dates they have, that is not me.
10 December 31st, the height.

11 Q So it's fair to say everything on those three
12 lines 1, 2, and 4 under offender information you
13 believe is inaccurate?

14 A Yes, sir.

15 Q Okay. Anything else on that page?

16 A No, sir.

17 Q Can you turn to the next page, please, which
18 is labeled Jackson 019?

19 A (Witness complies.)

20 Q And I'm going to ask you to do the same thing
21 once again. If you can take a moment and review the
22 page and then let me know if there's anything that
23 you believe is inaccurate on this page.

24 A The whole page.

25 Q The whole page?

1 Offender Registry. I ain't never seen. . .

2 Q Okay. So you're referring to the source and
3 vendor information section?

4 A Yes, sir.

5 Q Okay. Aside from the vendors that are
6 identified under the source and vendor information
7 section, is there anything else that you believe is
8 inaccurate on this page?

9 A No, sir.

10 Q Okay. Mr. Jackson, do you ever record any of
11 the conversations you had with anybody over at
12 Midtown?

13 A No, sir.

14 Q Okay. And, again, when you were initially
15 told that you had been denied housing, you heard
16 that from Ms. Minks, correct?

17 A Yes, sir.

18 Q And you only heard that verbally?

19 A Yes, sir.

20 Q There was nothing else in writing?

21 A No, sir.

22 Q Okay. And you mentioned that she provided
23 you some reason as to why you were denied?

24 A Yes.

25 Q And what did she say again?

1 A The conviction on the report.

2 Q Okay. Did she identify a specific
3 conviction?

4 A The drug charge and the child sexual charge.

5 Q Which drug charge did she refer to?

6 A The heroin.

7 Q Okay. And then the sexual assault charge you
8 said?

9 A Yes.

10 Q Okay. And she mentioned this as you were
11 reviewing the report with her?

12 A Yes.

13 Q Where were you reviewing this report?

14 A In the office of Midtown Estate.

15 Q Did Ms. Minks have her own office?

16 A It was the main office.

17 Q The main office. Okay. And so when you were
18 -- was anybody else present at this meeting?

19 A No.

20 Q Was anybody else in the office during this
21 meeting?

22 A Not that I can recall.

23 Q So was there anybody who could hear of the --
24 of what you guys were discussing during this
25 meeting?

1 Q Okay. So when was that?

2 A Within the two or three weeks of moving in.

3 Q Okay. Between the time that you met with
4 Ms. Minks and told her that it wasn't you and she
5 said that after looking at the pictures she knew it
6 wasn't you, you had maybe two phone calls with her
7 asking for follow-up and then she gave you a call
8 back about three weeks before you moved in and let
9 you know that you had gotten the apartment?

10 A Yes, sir.

11 Q Okay. I apologize for the brief break. I'm
12 going through my notes. Mr. Jackson, do you recall
13 at any point ever receiving an email from RealPage?

14 A No, sir.

15 Q Did anybody else from RealPage contact you?

16 A No, sir.

17 Q Since moving into Midtown, have you had any
18 issues with maintaining your lease at Midtown
19 because of the background report?

20 A Maintaining, no.

21 Q So after you moved in, you haven't had any
22 trouble because of this background report?

23 A No.

24 Q Mr. Jackson, what is your understanding of
25 what RealPage does?

1 A Yes, my lawyer.

2 Q Your lawyer at Legal Aid?

3 A Yes.

4 Q Okay. And do you know what the purpose of
5 this letter was?

6 A A dispute for the background check.

7 Q So you believe that this is related to a
8 dispute pertaining to your background check report?

9 A Yes.

10 Q So what part of this letter did you help
11 prepare?

12 A My name and birthdate and the last four
13 digits of my social and the address.

14 Q Anything else?

15 A My signature. Electric bill.

16 (Court reporter asks for clarification.)

17 A The electric bill.

18 BY MR. YEE:

19 Q Okay. Do you know why this letter was sent
20 out by Legal Aid?

21 A Hopefully to get a correct answer.

22 Q Do you see the date of this letter?

23 A February 8th.

24 Q 2017, correct?

25 A Yes.

1 Q You'd already moved into the property at that
2 point, correct?

3 A Yes.

4 Q So what answer do you believe Legal Aid was
5 attempting to get, if you have any knowledge?

6 A Hopefully -- to my knowledge, hopefully it
7 was something from RealPage to get the accurate
8 information.

9 Q And what accurate -- or excuse me. What
10 information were you looking for?

11 A The correct information, like, that was
12 talking about me.

13 Q Okay. And what did you want to have been --
14 what did you want done with this correct
15 information?

16 A To get approved for the apartment. Well, I
17 was already in an apartment. I was just hoping to
18 clear my name.

19 Q Okay. Do you have any understanding that
20 when you were approved for the property that your
21 name had already been cleared?

22 A No.

23 Q No. So what is your understanding of why you
24 were ultimately approved to move into the apartment?

25 A I figured because it was a mistake made, that

1 they looked at it and was, like, okay you can move
2 in, to my knowledge.

3 Q Okay. So you didn't have an understanding
4 that the information had already been cleared up
5 with the property?

6 A Correct.

7 Q To clarify, when you moved in in February of
8 2017, you didn't believe that the information had
9 already been cleared up with the property?

10 A She didn't say nothing else further. She was
11 just telling me I can get an apartment.

12 Q Okay. Can you please turn to the next page,
13 Bates-labeled Jackson 024.

14 A (Witness complies.)

15 Q Do you know who completed this, Mr. Jackson?

16 A I will say my lawyer.

17 Q Is that your handwriting?

18 A No.

19 Q Is that the correct spelling of your full
20 name?

21 A Yes.

22 Q Is that your correct address?

23 A Yes.

24 Q Is that your correct phone number?

25 A At the time, yes.

1 if we count backwards. You currently live in
2 Midtown, correct?

3 A Correct.

4 Q And you've lived there since February of
5 2017?

6 A Correct.

7 Q And prior to that period of time, you said
8 that you lived in the Jackson Hotel for about a
9 year, correct?

10 A Correct.

11 Q Okay. At any time -- and so that would have
12 put us in 2016 you lived at the Jackson Hotel?

13 A Yes.

14 Q Okay. And you lived there for about a year?

15 A I'd say about a year.

16 Q Okay. Continuously throughout the whole
17 year?

18 A No.

19 Q Okay. When did you move out?

20 A Of Jackson?

21 Q Yes.

22 A The first time I moved out is when I moved in
23 with my auntie for two months. And then I moved
24 back in after the dispute with my auntie.

25 Q Okay. So to clarify, because I must have had